



Cowlitz Indian Tribe

Cowlitz Indian Tribe of Washington

Tribal Resolution of Limited Waiver of Sovereign Immunity

RESOLUTION NO. 2004-01

Date of Enactment February 11, 2004

Subject Limited Waiver of Sovereign Immunity

WHEREAS: This Cowlitz Tribal Council is the Governing Body of the Cowlitz Indian Tribe of Washington and authorized to act on behalf of said Tribe; and,

WHEREAS: The Cowlitz Indian Tribe desires to pursue both cultural and economic development on tribal land within Clark County, Washington; and,

WHEREAS: The Cowlitz Indian Tribe desires to enter into a Memorandum of Understanding with Clark County, a political subdivision of the State of Washington, for the purposes, among others, of establishing a business relationship between the parties which would comprehensively mitigate the impacts of the tribal project within Clark County; and,

WHEREAS: The Cowlitz Indian Tribe and Clark County desire to have a tribal limited waiver of sovereign immunity adopted by the Tribe in conjunction with the execution of the Memorandum of Understanding to assure that the terms of such Memorandum of Understanding can be mutually enforced.

THEREFORE BE IT RESOLVED, that the Cowlitz Tribal Council of the Cowlitz Indian Tribe hereby adopts this Resolution of Limited Waiver of Sovereign Immunity through which it waives its sovereign immunity in favor of Clark County, Washington, as to matters arising in conjunction with the Memorandum of Understanding between the Cowlitz Indian Tribe and Clark County, a copy of which is attached hereto and incorporated herein by this reference.

BE IT FURTHER RESOLVED, that the Cowlitz Tribal Council hereby adopts such Memorandum of Understanding and all of its terms, and authorizes Tribal Chairman John R. Barnett to execute it on behalf of the Tribe.

BE IT FURTHER RESOLVED, that the Cowlitz Tribal Council specifically consents to the enforcement of the terms of such Memorandum of Understanding and all of its terms.

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BE IT FURTHER RESOLVED, that the Cowlitz Tribal Council specifically limits this limited waiver exclusively to matters arising under the attached Memorandum of Understanding.

CERTIFICATION:

On February 7th, 2004, this Resolution of Limited Waiver of Sovereign Immunity was approved at a meeting of the Cowlitz Tribal Council held on this date, and the vote was:

15 FOR


0 AGAINST

0 ABSTAIN



Chairman
Cowlitz Tribal Council

ATTEST:



Secretary/Treasurer

SO304641